

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 CIAE-00 DODE-00 PM-03 H-02 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

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R 301619Z MAY 75

FM USMISSION USBERLIN

TO SECSTATE WASHDC 994

AMEMBASSY BONN

INFO AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS 7468

USMISSION NATO

C O N F I D E N T I A L USBERLIN 1049

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GW, GE, UR

SUBJECT: SOVIET PROTESTS AT POLAD LEVEL, MAY 30

REF: (A) BONN 8467 (B) USBERLIN 1007

SUMMARY: SOVIET EMBASSY COUNSELOR KHOTULEV CALLED ON U.S. (CHAIRMAN) POLAD MAY 30 TO DELIVER PROTEST STATEMENTS CONCERNING PLANNED BUNDESTAG INTERIOR COMMITTEE MEETING IN BERLIN, ACTIONS OF WEST BERLIN POLICE DURING RECENT FIRE AT REICHSBAHN INSTALLATION IN WESTERN SECTORS, AND PROSPECTIVE EXTENSION TO BERLIN OF FRG AGREEMENT WITH EUROPEAN MOLECULAR BIOLOGY LABORATORY. WE BELIEVE FORMAL RESPONSE TO FIRST TWO STATEMENTS UNNECESSARY; THIRD WILL BE STUDIED BY ALLIED MISSIONS IN CONJUNCTION WITH OTHER TREATIES WHOSE EXTENSION SOVIETS RECENTLY PROTESTED. END SUMMARY.

2. IN FIRST AND "MOST URGENT" ITEM OF BUSINESS
IN MEETING WITH POLAD MAY 30, KHOTULEV DELIVERED STATEMENT
REFERRING TO PRESS REPORTS THAT BUNDESTAG INTERIOR COMMITTEE
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PLANNED TO CONVENE IN WEST BERLIN JUNE 4 TO DISCUSS INTER ALIA

POLICE REFORM IN CITY (USBERLIN 1009). SOVIETS SIDE DESIRED CLARIFICATION FROM THREE ALLIES ON THESE REPORTS IN LIGHT OF FACT THAT ANNOUNCED AGENDA WOULD BE INCONSISTENT WITH PROVISION OF QA (ANNEX II, PARA 2) PROHIBITING PARLIAMENTARY COMMITTEES AND STATE BODIES OF FRG FROM PERFORMING OFFICIAL OR CONSTITUTIONAL ACTS IN WESTERN SECTORS CONTRARY TO PROVISIO THAT WEST BERLIN WAS NOT CONSTITUENT PART IF FRG AND COULD NOT BE GOVERNED BY IT. FACT THAT MEETING IN QUESTION WOULD BE DISCUSSING MATTERS OF SECURITY AND STATUS, KHOTULEV STRESSED, AMOUNTED TO CLEAR EVIDENCE OF ITS ILLEGALITY

3. POLAD RESPONDED SOVIETS SHOULD NOT BE SO NERVOUS. ALLIED MISSIONS HAD ALSO SEEN PRESS REPORTS ON BUNDESTAG INTERIOR COMMITTEE MEETING. WE HAD ASCERTAINED, HOWEVER, THAT AGENDA AS IT HAD BEEN DESCRIBED WAS NOT IN FACT CORRECT (PARA 2, REF A) AND NOTED FOR INTEREST THAT MEETING

HAD BEEN PUT OFF A WEEK. POLAD SAID HE THOUGHT SOVIETS WOULD FIND NOTHING WRONG WITH ACTUAL AGENDA, AND KHOTULEV REPLIED THAT, IF THIS WERE CASE, HE WOULD BE SATISFIED. POLAD REAFFIRMED ALLIED POSITION THAT THERE WAS NOTHING WRONG WITH BUNDESTAG COMMITTEE MEETINGS AS SUCH IN BERLIN, AND KHOTULEV AGREED THAT SUCH MEETINGS WERE PERMISSIBLE AS LONG AS THEY CONCERNED MAINTENANCE AND DEVELOPMENT OF FRG-WEST BERLIN TIES.

4. SECOND ITEM OF BUSINESS CONCERNED MAY 26 FIRE AT REICHSBAHN INSTALLATION IN GRUENEWALD, KHOTULEV SAID HE HAD BEEN INFORMED BY GERMAN COLLEAGUES THAT WEST BERLIN POLICE HAD SEALED OFF AREA OF INSTALLATION AFTER FIRE HAD BEEN EXTINGUISHED, AND HAD PREVENTED REICHSBAHN EMPLOYEES FROM ENTERING TO PERFORM THEIR DUTIES. SOVIETS VIEWED THIS ACTION AS "FLAGRANT VIOLATION

OF AND ENCROACHMENT ON "LEGAL STATUS OF "GDR RAILWAYS" IN WEST BERLIN. KHOTULEV ADDED HE WISHED TO RECALL THAT SOVIET SIDE HAD REPEATEDLY DRAWN ATTENTION OF WESTERN ALLIES TO INADMISSIBILITY OF WEST BERLIN POLICE ACTION ON REICHSBAHN PROPERTY, AND THAT HE WOULD NOT LIKE TO SEE RECURRENCE.

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5. POLAD RESPONDED THAT, AS KHOTULEV WAS WELL AWARE, THERE WERE NO GDR RAILWAYS AS SUCH IN WESTERN SECTORS. ALLIES RECOGNIZED RIGHT AND RESPONSIBILITY OF REICHSBAHN TO OPERATE RAILWAYS IN THOSE SECTORS, BUT DID NOT RECOGNIZE REICHSBAHN--MUCH LESS GDR-SOVEREIGNTY OVER TERRITG!IPM"P;Q
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